

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56353 of 2017

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Ashish Narayan Jha, S/o Dr. Shree Narayan Jha, Resident of Mohalla-Balbhadrapur, East of N.P. Mishra Chouk, PO & PS- Laheriasarai, Distt-Darbhangha.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-11-2017

Heard learned counsel for the Petitioner and the State.

The instant application has been filed for modification of part of condition (ii) of the order dated 9.11.2017 passed by this Court in Cr. Misc. 51990 of 2017.

The Petitioner was allowed anticipatory bail by the order dated 9.11.2017 passed by this Court in Cr. Misc. 51990 of 2017 in which he was directed to remain physically present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner.

It is also pointed out by the petitioner that due to inadvertence in paragraph-3 of page-2 of the order dated 9.11.2017 passed by this Court in Cr. Misc. 51990 of 2017, it has been mentioned that the informant has filed Laheriasarai P.S. Case No. 40 of 2014



against the in-laws which is at the stage of evidence, but the same is not at the stage of evidence.

In such circumstances, the 3rd paragraph of page 2 of the order dated 9.11.2017 passed by this Court in Cr. Misc. 51990 of 2017, in place of words ***“at the stage of evidence”*** be read as ***“is not at the stage of evidence”***. Similarly, in place of condition No. 2 let it be read as follows:

“The petitioner is directed to remain physically present on each and every date fixed by the court below and in the event of absence of the petitioner on two consecutive dates without proper and reasonable reason, the prosecution will be at liberty to file necessary petition before the court below for cancellation of bail bond of the petitioner”

Learned counsel for the petitioner has submitted that the aforesaid modification is sought because the petitioner is working in Marine Navy and there is likelihood that he has to go out abroad for certain period.

This modification application is accordingly allowed to the extent indicated above.

Let this order be communicated to the learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No. 358 of 2017.

(Sanjay Priya, J)

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